

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RECEIVED  
SDNY PRO SE OFFICE

2015 MAR -6 P 2:48

BENNIE GIBSON

15CV1706

(In the space above enter the full name(s) of the plaintiff(s).)

COMPLAINT

-against-

under the

Civil Rights Act, 42 U.S.C. § 1983

(Prisoner Complaint)

42USCA 1985, 1986

Jury Trial: ☒ Yes ☐ No

(check one)

THE CITY

COMMISSIONER OF NYC POLICE

DEPUTY COMMISSIONER

OFFICERS OF 109, 108 precinct

FLUSHING QUEENS

a group of informants allowed to sell  
drugs, strip czrs, scrap metal as long as they  
set up competition

A group of Feds alleging plaintiff is part of some FedR Civ 38  
type of gang of guys using plaintiff as a "fall" guy 87th Amend Cons  
so NYPD can steal metal after crime alleged Jury trial

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

ALL are sued in  
sued in individual  
official capacity

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Bennie Gibson  
ID # 441-15-00660  
Current Institution VCBC  
Address 1 Halleck St Bronx NY 10474

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name A group of Officers from Shield # \_\_\_\_\_  
Where Currently Employed 109 precinct 108 precinct  
Address Flushing Queens

Defendant No. 2 Name The City Shield # \_\_\_\_\_  
Where Currently Employed \_\_\_\_\_  
Address \_\_\_\_\_

Defendant No. 3 Name Commissioner of NYC police Shield # \_\_\_\_\_  
Where Currently Employed Deputy Commissioner  
Address 1 POLICE PLAZA  
NYNY 10007

Defendant No. 4 Name \_\_\_\_\_ Shield # \_\_\_\_\_  
Where Currently Employed A group of informants NYPD, FBI, DOC, OMH, City  
Address \_\_\_\_\_

Defendant No. 5 Name Deputy Commissioner NYC Police & offices f108.109 Shield # \_\_\_\_\_  
Where Currently Employed precinct conducting arrest upon  
Address belief Jan 18 or 19th 2015

## II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur? Non applicable

B. Where in the institution did the events giving rise to your claim(s) occur? n/a

C. What date and approximate time did the events giving rise to your claim(s) occur? \_\_\_\_\_  
n/a

*Arrest Jan 2015 upon helref*

*SDNY 14cv2045*

*EDNY*

D. Facts: *14cv0078* Although the facts of this case are similiar to 14cv0078 or 14 misc 0078 plaintiff had 120 lbs copper to wit while walking to sell in junkyard NYPS detained plaintiff for 20 minutes dem, and ing where copper was taken from

What happened

Although plaintiff sought to remain silent plaintiff felt government who surrounded plaintiff (4) detectives and 3 NYPD cars of officers and demanded explanation and besides threatening to atake plaintiff to preinct

Who did what?

fro fingerprinting plaintiff WAS TOLD IF HE TOLD NYPD where copper was taken from he would be released. Plaintiff basically stated he found it and then stated he got it from abandoned building NYPD drove plaintiff to building which has been abandoned for 15 years boarded up windows which allow at touch entry due to not fastened running water leaks excrement from birds ,dogs human broken toilets no water 11toilet

Was anyone else involved?

NYPD went a hospital and asked them to say they own it. their is no address, or building numbver on the building nor is their electricitty nor is their a no tresspass sign besides facxt hospital knew plaintiff was their living. Plaintiff was charged with burglary then offered disorderwley conduct

Who else saw what happened?

Plaintiff does not believe hospital own property and NYPD stole plaintiff copper besides fact no supporting deposition was presented to plaintiff

### III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

*n/z/a*

### IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes *[initials]* No *[initials]*

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

N/A

n/a

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

n/a

Yes ☐ No ☐ Do Not Know ☐

N/A

If YES, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☐ No ☐

N/A

n/a

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

n/a

Yes ☐ No ☐

N/A

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

1. Which claim(s) in this complaint did you grieve?

N/A

n/a

2. What was the result, if any?

n/a

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process.

n/a

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

n/a

2. If you did not file a grievance but informed any officials of your claim, state who you

informed, when and how, and their response, if any: \_\_\_\_\_

n/a

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. \_\_\_\_\_

n/a

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

~~Institute civil litigation for monetary~~  
relief ~~for 10,000,000 million dollars for FALSE ARREST, MALICIOUS PROSECUTION~~  
abuse of process, filing false affidavit, unlawful imprisonment  
intentional infliction emotional distress under 4th, 5th, 8th 14 Federal  
Constitutional jurisprudence Art 1 sec 11 NYSC fraudulent investigation  
Conspiracy to VIOLATE Due Process All were sued in individual and  
official capacity

On  
these  
claims

**VI. Previous lawsuits:**

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes \_\_\_ No ☒

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff NONE N/A

Defendants N/A

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number N/A

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit N/A

6. Is the case still pending? Yes \_\_\_ No ☒

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_

On  
other  
claims

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes \_\_\_ No ☒

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff N/A

Defendants N/A

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number N/A

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit N/A

6. Is the case still pending? Yes \_\_\_ No ☒

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_

N/A

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 25 day of Feb, 2015

Signature of Plaintiff

Inmate Number

Institution Address

[Signature]  
441-15-00660  
V.C.B.C.  
1 Abbeck St  
BRONX NY 10451

**Note:** All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 25 day of Feb, 2015 I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

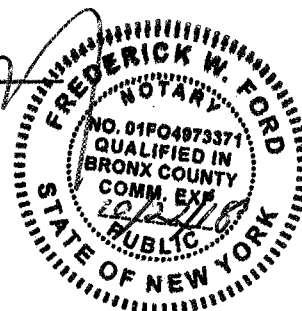
[Signature]

Sworn To Before Me \_\_\_\_\_

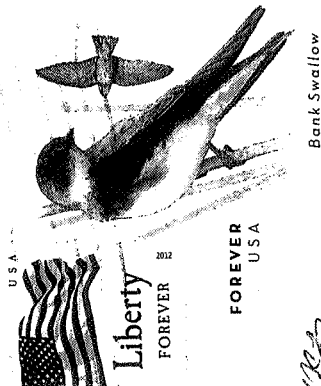
27 day of FEBRUARY 2015

NOTARY PUBLIC

[Signature]







Resident's Office  
United States District Court  
Southern District of NY  
500 Pearl St  
Box NY 10007

DAVID E. GIBSON  
44-45-00660  
1 Heller St  
Box 10415

RECEIVED  
SDNY PROSE  
MAR 6 2015